

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

BRIAN DAVID HILL,)
Plaintiff,) Civil Action No. 7:18-cv-499
)
v.) ORDER
)
MARTINSVILLE CITY JAIL, *et al.*)
Defendants.) By: Norman K. Moon
) United States District Judge
)

Plaintiff, a prisoner proceeding pro se, filed a civil rights action pursuant to 42 U.S.C. § 1983. This matter is before the court on plaintiff's motion to voluntarily dismiss this action.

Federal Rule of Civil Procedure 41(a)(1)(A)(i) allows a litigant to voluntarily dismiss an action without a court order by filing a notice of dismissal before the opposing party serves an answer or motion for summary judgment. The opposing party has not filed an answer or motion for summary judgment. Inasmuch as plaintiff asks the court to grant a motion to voluntarily dismiss, it is hereby

ORDERED

that plaintiff's motion for voluntary dismissal is **GRANTED** and the action is **DISMISSED without prejudice** and **STRICKEN** from the active docket of the court. The outstanding motion for a preliminary injunction is **DENIED as moot**.

The Clerk is directed to send a certified copy of this Order to plaintiff.

ENTER: This 4th day of December, 2018.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE